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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/638,388	08/15/2000	Philip D. Mooney	MOONEY	1998

7590 03/29/2002

Farkas & Manelli PLLC  
2000 M Street N W 7th Floor  
Washington, DC 20036-3307

EXAMINER
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KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 03/29/2002

3

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/638,388

Applicant(s)

MOONEY ET AL.

Examiner

Srilakshmi K. Kumar

Art Unit

2675

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

Art Unit: 2675

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-3, 5-9, 11-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Will (US 5,970,388).

As to independent claim 1, Will discloses an electronic wireless badge device (Fig. 3a) comprising, a wireless front end and an electronic display adapted to electronically display badge information received by said wireless front end (col. 4, lines 17-48).

As to independent claim 8, a network security station, comprising, a database of badge information corresponding to said authorized user codes (col. 5, lines 1-6); and a wireless front end adapted to transmit badge information retrieved from said database of badge information (col. 4, lines 17-64).

49-59  
col 3.

Art Unit: 2675

As to independent claims 12 and 20, a method and an apparatus of providing electronic badge information for display on a user's electronic wireless badge comprising, establishing a wireless network between a network security station and a plurality of electronic wireless badges (Fig. 1, col. 2, line 63-col. 3, line 5, col. 4, lines 17-18); transmitting badge display information to each of said plurality of electronic wireless badges (col. 4, lines 17-64); and electronically displaying said badge display information on each of said plurality of electronic wireless badges (col. 4, lines 17-64).

As to dependent claim 2 and 9, limitations of claim 1, and further comprising where said electronic display is adapted to display any of one of a plurality of different badge information at any one time (col. 4, lines 17-64, electronic mail message, incoming telephone call).

As to dependent claims 3, 9, 13 and 21, Will discloses a central station with several remote stations with several communications units or wireless badges (Fig. 1). A piconet is a connection between a master and one or more slaves. Thus it would be inherent that the system disclosed by Will is that of a piconet. (b) 7.

As to dependent claims 5 and 11, limitations of claims 1 and 8, and further comprising wherein said badge information includes a photo of an authorized wearer (Fig. 3a, col. 4, lines 41-44).

As to dependent claim 6, limitations of claim 1, and further comprising wherein said electronic display is an LCD device (Fig. 3a, item 17, col. 4, lines 44-48).

As to dependent claims 14 and 22 limitations of claims 13 and 21, and further comprising wherein said badge display information displayed on each of said plurality of electronic wireless badges is different (col. 4, lines 17-64).

Art Unit: 2675

As to dependent claims 15 and 23, limitations of claims 13 and 21, and further comprising, authorizing said electronic wireless badges to receive badge display information.

As to dependent claim 16 and 24, limitations of claims 13 and 21, and further comprising, altering said badge display information periodically to prevent fraud (col. 4, lines 3-8).

As to dependent claims 17 and 25, limitations of claims 16 and 24, and further comprising, flashing a display of said wireless badges in concert (col. 4, lines 17-26)

As to dependent claims 18 and 26, limitations of claims 13 and 21, and further comprising, linking badge information stored in said electronic wireless badge (communications unit) with an application computer (remote and central stations) (Fig. 1).

As to dependent claims 19 and 27, limitations of claims 18 and 26, and further comprising wherein said application computer is a register checkout (Fig. 1, remote stations).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Will as applied to claims 1 and 8, above, and further in view of Bork et al. (US 6,246,376).

As to dependent claims 4 and 10 limitations of claim 1 and 8, and further comprising wherein said wireless piconet front end is a BLUETOOTH device. Will does not disclose a BLUETOOTH device. Bork et al disclose in col. 2, lines 4-11 where a wireless location and direction indicator users BLUETOOTH protocol, which permits multiple piconets to exist in,

Art Unit: 2675

close proximity. It would have been obvious to one of ordinary skill in the art that the system of Bork et al could have been incorporated into that of Will. Will discloses a wireless system with a wireless badge using communications means for locating and subsequently sending other information to the wireless badges. Bork et al disclose a system for wireless locating for multiple devices. The piconets using BLUETOOTH is advantageous as it is capable of communicating with like communication devices to transfer identification data and either fixed or variable location data as disclosed by Bork et al

***Conclusion***

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**Or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 308-6606 (for informal or draft communications, please label

“PROPOSED” or DRAFT”)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal drive,

Arlington, VA, Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 703 306 5575.

The examiner can normally be reached on 8:00 am to 5:30 pm alternate Fridays off.

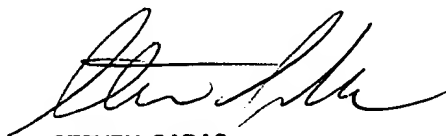
Art Unit: 2675

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven J. Saras can be reached on 703 305 9720. The fax phone numbers for the organization where this application or proceeding is assigned are 703 306-0377 for regular communications and 703 308 9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 4700.

Srilakshmi K. Kumar  
Examiner  
Art Unit 2675

SKK  
March 22, 2002



**STEVEN SARAS**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**